Remarks

The Application address the Examiner's remarks in the order she presented them. Claims 1, 2, 4-8, 11 and 12 are pending.

Terminal Disclaimer

The applicants submit herewith a terminal disclaimer to advance the prosecution of this application. They respectfully request that the Examiner withdraw the double-patenting rejection in light of it.

The §112 Rejection

The Examiner rejected claims 1, 4-8 and 11-12 under 34 USC §112, second paragraph, stating that the claims are indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Examiner noted that the limitation of "ON" in claim 1, line 4, is unclear and that this moiety may have been a typographic error. Applicant submits that this indeed is a typographic error. The limitation should be correctly recited as CN. Applicants have amended Claim 1 accordingly. Claims 4-8 and 11-12 depend from Claim 1. Support for this amendment can be found in the parent application which has a CN as one of the limitations.

Conclusion

Applicants submit that the instant application is now in condition for allowance.

Respectfully submitted,

Barbara E. Kurys, Reg. No. 34,650 0

Attorney/Agent for Applicant

Aventis Pharmaceuticals Inc.
Patent Department
Route #202-206 / P.O. Box 6800
Bridgewater, NJ 08807-0800
Telephone (908) 231-2965
Telefax (908) 231-2626

Aventis Docket No. DEAV2001/0050 US NP 1